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July 29, 2024

VIA ECF

Hon. Jessica G. L. Clarke, U. S. D. J.
United States District Court
Southern District of New York
500 Pearl Street, Room 1040
New York, NY 10007

Re: Jobar Holding Corporation, et, als. v. David Halio
Case No.: 1-23-cv-11217 (JGLC) (GS)
Letter Motion for Extension of Time to Reply to Motion for Rule 11 Sanctions
Our File No. 14289.2000

Dear Judge Clarke:

This Letter-Motion is Plaintiffs' first request for an extension of time to respond and oppose defendant's Motion for Rule 11 Sanctions filed on July 21, 2024. In accord with Your Honor's Individual Rules 2(a) and (e), Plaintiffs submit the following:

(1) The original date for responding to Defendant's Motion for Rule 11 Sanctions is August 5, 2024; the new date requested is 14 days after the Court's decision is filed for Defendant's Motion to Dismiss, which is sub judice.

(2) and (3) There has been no previous request for adjournment or extension of this Motion.

(4) The reason for the proposed extension is that the Court's decision of the sub judice Motion to Dismiss, when rendered, may render the Motion for Rule 11 sanctions moot, and, in any event, the Court's decision of the Motion to Dismiss will perforce be material to the facts and issues of the recently filed Motion for Sanctions. Discussion of the Court's decision in the pending Motion to Dismiss, when rendered, will be material to both the Plaintiffs' opposition to the Motion for Sanctions and Defendant's reply thereto.



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(5) Adversary counsel's sole reason for opposing this request, as stated in the attached e-mail trail between counsel is Plaintiffs' refusal to comply at the same time to his improper demand, stated in his July 27 2:54 PM e-mail, in which counsel seeks a second extension of time of a court-ordered response to the Amended Complaint in a different matter in a different court with a different defendant who is also represented by this Defendant's counsel.

(6) There is no scheduled next date for an appearance by the parties before the Court, as we await decision of the pending Motion to Dismiss.

For the above reasons, Plaintiffs respectfully request that the time for the Plaintiffs to respond to the recently filed Defendant's Motion for Rule 11 Sanctions be extended to the date that is fourteen days after the Court issues its decision in the Defendant's pending Motion to Dismiss.

Dated: New York, New York
July 29, 2024

Respectfully submitted,

SCARINCI & HOLLENBECK, LLC

/s/ Dan Brecher

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